



The Labor and Employment
Law Section of the State Bar
of California Presents

Public and Private | Union and Management
Plaintiff and Defense | In-House and Neutral

24th ANNUAL MEETING

*The State Bar of
California and the Labor
and Employment Law
Section are State Bar of
California MCLE
Approved Providers*

**October 27 & 28, 2006
Marriott, San Jose**

- > **Hotel Deadline: October 5, 2006**
- > **Pre-Registration: October 20, 2006**
- > **NEW! Register On-Line at
www.calbar.ca.gov/laborlaw**

Earn up to 13.75 MCLE Hours Credit which includes 1.00 MCLE Hours of Legal Ethics; 1.25 MCLE Hours Prevention/ Detection of Substance Abuse and 1.25 Hours of Elimination of Bias in the Legal Profession

NOTE: Written materials will be provided on CD-Rom and distributed at the time of the program.



LABOR AND EMPLOYMENT

As labor and employment law practitioners—in private and public practice, within companies and unions, and in the ADR realm—we, like the rest of the world, are seeing the very way we do business and the way we live change almost daily. What do we need to know to practice in our changing field today, and tomorrow? The Annual Meeting this year focuses not only on recent changes in labor and employment law and the practical implications of those many changes, but also on what the future may hold in our field and how we can prepare for it.

2006 Annual Program Chair: Cara Ching-Senaha, Jackson Lewis LLP, San Francisco

2006 Annual Program Co-Chairs: David Duchrow, Law Office of David Duchrow, Los Angeles;
Patricia Perez, Puente International, La Mesa; Rosario Tobias,
Office of the City Attorney, Los Angeles

Section Chair: Tony Skogen, Littler Mendelson, Los Angeles

Section Vice-Chair: Wendy Rouder, San Francisco

SCHEDULE OF EVENTS PROGRAM

> FRIDAY, OCTOBER 27, 2006

8:00–8:45 a.m. Continental Breakfast / Registration

8:30–8:45 a.m. Welcome

8:45–10:15 a.m. General Session

Annual Employment Law Update

Join us for this fast-paced and information-packed update on must-read cases and new labor and employment legislation.

(1.50 Hours of MCLE Credit)

Panel Coordinator: David Duchrow, Law Office of David Duchrow, Los Angeles

Panelists: Shirley D. Deutsch, Ropers Majeski Kohn & Bentley, Los Angeles; Jean Hyams, Boxer Gerson LLP, Oakland

10:15–10:30 a.m. Break

10:30–12:00 p.m. General Session

The Top Ten Wage and Hour Topics Developments

Three veteran wage and hour lawyers will discuss from the perspective of both the employer and the employee the hottest wage and hour topics for 2006. Come and participate in a free-wheeling discussion and debate of the latest developments in such leading edge topics as Meal and Rest Period Penalties; Paid Time at the Beginning and End of Shifts; Expense Reimbursements; Tip Pooling; Bonus Plans; and the latest Administrative Agency and Class Action developments.

(1.50 Hours of MCLE Credit)

Panel Coordinator: Tony Skogen, Littler Mendelson, Los Angeles

Panelists: David Borgen, Goldstein, Demchak, Baller, Borgan &

Dardarian, Oakland; Felicia Reid, Curiale Dellaverson, Hirschfeld & Kraemer, San Francisco

Moderator: Tony Skogen

12:15–1:30 p.m. Luncheon

Opening Keynote Speaker: Eugene Volokh, Professor of Law, UCLA Law School, American legal commentator frequently quoted in the news media including The New York Times, The Wall Street Journal, Los Angeles Times and other publications, and founder and author of The Volokh Conspiracy (weblog) which receives more than 20,000 visitors per day.

“Where pure expression is involved, Title VII steers into the territory of the First Amendment. It is no use to deny or minimize this problem because, when Title VII is applied to sexual harassment claims founded solely on verbal insults, pictorial, or literary matter, the statute imposes content-based, viewpoint-discriminatory restrictions on speech.” So wrote the Fifth Circuit in DeAngelis v. El Paso Mun. Police Officers’ Ass’n, 51 F.3d 591 (5th Cir. 1995). Other judges—most recently Justice Chin in Lyle v. Warner Brothers, 38 Cal. 4th 264 (2006)—have echoed this as well. Sexual, racial, and religious harassment law often poses no First Amendment problems, for instance when a case is based on physical abuse, sexual extortion, fighting words, or threats. But sometimes it quite likely does pose First Amendment problems. Where should courts draw the line—and, as importantly, how can lawyers most effectively argue about this on their clients’ behalf?

(1.25 Hours of MCLE Credit)

1:45–3:00 p.m. Concurrent Sessions #1 - #3 (Pick any one of three sessions listed below)

[1] Significant Developments and Trends In Employment Retaliation Law

Panelists will discuss practical pointers for practitioners representing employers and employees in employment retaliation cases, following the Yanowitz and Burlington Northern cases.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Cara Ching-Senaha, Jackson Lewis LLP, San Francisco

Panelists: Charlotte Fishman, Executive Director of Pick up the Pace, San Francisco and Amicus Curiae, Yanowitz v. L’Oreal (Supreme Court of California) and Burlington Northern v. White (United States Supreme Court); JoAnna Brooks, Jackson Lewis LLP, San Francisco

[2] Pick a Little, Talk a Little – Picking a Jury (Conducting Jury Voir Dire & Jury Selection) (Trial Track)

Though seemingly fast and simple, there is more method and thought in this process than meets the eye. This presentation is designed in a workshop format, with a defense and plaintiff’s attorney conducting voir dire on prospective “jurors,” and with a jury consultant’s perspective on the questions and jury selection process. Insight and analysis of the voir dire questions and the jury selection will also be provided by the panelists.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Rosario Tobias, Office of the Los Angeles City Attorney, Los Angeles

Panelists: David Duchrow, Law Office of David Duchrow, Los Angeles; Noelle Nelson, Ph.D., Malibu, California; Daniel Aguilera, Office of the Los Angeles City Attorney, Los Angeles

Moderator: Rosario Tobias



T LAW ANNUAL MEETING

[3] Introduction to Employment Law: A Plaintiff's and Defendant's Perspective

The topics for this panel include the legal and practical realities of wrongful termination, harassment and discrimination cases. The areas will be presented in terms of legal principles as well as practical steps during the course of litigation, from both the plaintiff's and defendant's perspectives.

(1.25 Hours of MCLE Credit)

Program Coordinator: Patti Perez, Puente International, La Mesa

Panelists: Deborah L. Martin, Sheppard Mullin, San Francisco; Jane Brunner, Siegel & Yee, Oakland

3:00–3:15 p.m.

Break

3:15–4:30 p.m.

Concurrent Sessions #4 - #6 (Pick any one of three sessions listed below)

[4] Substance Abuse in the Legal Profession—Prevention, Detection and Treatment

Join us for an informative discussion of substance abuse in the legal profession and the help available for those in need.

(1.25 Hours of MCLE Credit Prevention/Detection of Substance Abuse)

Panel Coordinator: Lois Kosch, Wilson Petty Kosmo & Turner, San Diego

Panelists: Steve Brugge, NCAC II, CEAP, CRC Health corporation, Campbell; Anna Gray, MFT, Lawyer Assistance Program, State Bar of California, San Francisco

[5] The Latest from the NLRB: Is the Board's Move to the Right in the Long-Term Interest of Employers or Employees?

Two experienced advocates on behalf of management and labor will analyze the changes in Board law and whether the changes are in the long-term best interests of employers or employees.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Matthew Gauger, Weinberg Roger & Rosenfeld, Sacramento

Panelists: Lindberg Porter, Littler Mendelson, San Francisco; Matthew Gauger

[6] Restrictive Covenants, Non-Competes and Trade Secrets: The In-House Technology Industry Perspective

Learn from experienced in-house practitioners about the hottest trends in unfair competition and restrictive covenants litigation and 'best practices' in the high-tech employment context.

(1.25 Hours of MCLE Credit)

Panel Coordinators: Wilmer Harris, Schonbrun De Simone, Pasadena and Tyler Paetkau, Winston & Strawn LLP, San Francisco

Panelists: Mitchell Gaynor, Juniper Networks, Inc., Sunnyvale; Roxane Sokolove Marenberg, Cisco Systems, Inc., San Jose; Alexa King, Aruba Networks, Sunnyvale; Thomas C. Mavrakakis, Wong, Cabello, Lutsch, Rutherford & Brucculeri, L.L.P., Houston, Texas; Anthony J. Oncidi, Proskauer Rose LLP, Los Angeles

Moderator: Tyler Paetkau

4:30–6:00 p.m.

Reception

Join us for A Cocktail Mixer!

Best of All, Prizes Will Be Awarded to Winners of A Networking Challenge!

Sponsored by: Santa Clara County Bar Association



6:30–10:00 p.m.

Dine About San Jose

Networking Dinner

Come join us for this wonderful networking event at some of Silicon Valley's greatest restaurants! Please select a restaurant from the following registration form. Attendees are responsible for the cost of their meals and beverages.

- E & O Trading Company (Southeast Asian grill)
- Spiedo's (Fine Italian dining)
- Tied House Cafe & Brewery (Microbrewery with varied menu)
- PF Chang's China Bistro (Contemporary Chinese cuisine)
- Hawgs Seafood Bar (A café with a wealth of seafood dishes)

> SATURDAY, OCTOBER 28, 2006

7:15–8:30 a.m.

Breakfast Socials

LIMITED SPACE!!! SIGN UP EARLY!!! and MEET YOUR COLLEAGUES

(sign up on the registration form)

- TABLE 1: Unions and Attorneys Representing Plaintiffs
- TABLE 2: Management-Side Labor and Employment Lawyers and In-House Counsel
- TABLE 3: Mediators and Neutrals
- TABLE 4: Students, New Lawyers and New Employment Professionals
- TABLE 5: All Welcome: Union and Management Labor Attorneys, and Plaintiff and Defense Attorneys

8:30–8:45 a.m.

Welcome

8:45–10:15 a.m.

General Session

Innovative and Cutting-Edge Issues in Class Action Litigation

This panel will explore developing trends in class action litigation, including pre-certification discovery, certification strategies, evidentiary and proof issues and trial of a complex employment class action lawsuit.

(1.50 Hours of MCLE Credit)

Panel Coordinator: David DeRubertis, The deRubertis Law Firm, Woodland Hills

Panelists: Brad Seligman, The Impact Fund, Berkeley; Jeffrey D. Wohl, Paul Hastings, San Francisco

10:15–10:30 a.m.

Break

10:30–11:30 a.m.

General Session

Navigating Ethically in Mediations: Avoiding Those Rocks and Sandbars

Experienced neutrals tackle scenarios and discuss ethical issues faced by advocates and neutrals in mediation.

(1.00 Hour of MCLE Credit of Legal Ethics)

Panel Coordinator: Lynne Bassis, Bassis Mediation Group, Los Angeles

Panelists: Lynne Bassis; Eugene Moscovitch, ADR Services, Los Angeles; Fred Butler, San Francisco

11:30–12:30 p.m.

Concurrent Sessions #7 - #9 (Pick any one of three sessions listed below)

[7] The Inside Scoop - What You Really Need To Know About DFEH/EEOC Investigations

DFEH and EEOC officials explain how the investigation process really works and what defense and plaintiff counsel can do to advance their clients' interests.

(1.00 Hour of MCLE Credit)

Panel Coordinator: Andrew Friedman, Helmer & Friedman LLP, Venice

Panelists: H. Joan Ehrlich, Director, U.S. Equal Employment Opportunity Commission – San Francisco District Office, San Francisco; Annmarie Billotti, Senior Staff Counsel, Department of Fair Employment and Housing, Oakland

Moderator: Suzanne ("Suzy") M. Ambrose, Department of Fair Employment and Housing, Elk Grove

[8] Using the Computer Fraud and Abuse Act in Employment Cases

The CFAA is a federal statute that prescribes civil, criminal, and injunctive remedies for the unauthorized accessing of computer information. This panel will discuss certain of the advantages offered by the CFAA as compared to traditional unfair competition causes of action, as well as strategies to defend against CFAA claims.

(1.00 Hour of MCLE Credit)

Panel Coordinator: Tony Skogen, Little Mendelson, Los Angeles

Panelist: Paul Chan, Bird, Marella, Boxer, Wolpert, Nessim, Drooks & Lincenberg, Los Angeles

[9] Witness Examinations: A Live Demonstration (Trial Track)

Observe expert practitioners in action as they examine witnesses at trial.

(1.00 Hour of MCLE Credit)

Panel Coordinator: Toni Jaramilla, Los Angeles

Panelists: Rupert Byrdson, Ivie, McNeil & Wyatt, Los Angeles; Thomas Olmos, Allred, Maroko & Goldberg, Los Angeles, Hon. Elizabeth Grimes, Los Angeles Superior Court, Los Angeles

Moderator: Toni Jaramilla

12:30–1:30 p.m.

Luncheon

Closing Keynote Speaker: William Tamayo, U.S. Equal Employment Opportunity Commission—San Francisco District Office, San Francisco; and former staff attorney and Managing Attorney for the Asian Law Caucus of San Francisco

According to a study by the Urban Institute analyzing the 2000 census data, there are an estimated 9.3 million undocumented immigrants living in the United States, of which an estimated 6 million are workers. The manufacturing sector employs nearly 1.2 million undocumented workers, the services sector employs 1.3 million, and 1.4 million undocumented workers are employed in agriculture. Six hundred thousand more work in construction and seven hundred thousand work in restaurants. Many of these same industries are infamously known for paying low or substandard wages, having dangerous working conditions, and being replete with labor and employment law violations. William Tamayo will talk about his experience as a civil rights attorney and as an attorney with the EEOC on immigration and employment laws affecting employees and employers in California. He will also discuss the current immigration debate as it affects California employees and employers.

(1.00 Hour of MCLE Credit)

Presentation of Law School Writing Competition Award

1:45–3:00 p.m.

Concurrent Sessions #10 - #12 (Pick any one of three listed below)

[10] Free Speech in the Workplace: Employee Rights vs. Employers' Need to Regulate Its Official Message

This panel will examine employees' rights to free speech inside and outside of the workplace, employers' remedies against malicious blogging on the internet, the state of whistleblower law, the rights of employees to join organizations (other than for collective bargaining) and similar topics.

(1.25 Hours of MCLE Credit)

Panel Coordinators: Paul Glusman, Berkeley and Cara Ching-Senaha, Jackson Lewis LLP, San Francisco

Panelists: Linda Lye, Altschuler Berzon, San Francisco; Deverie Christensen, Jackson Lewis LLP, San Francisco

[11] Public Sector Legal Update

This panel will discuss recent cases and legislation affecting practitioners who represent employers and employees in the public sector.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Arnie Braafladt, California School Employees Association, San Jose

Panelists: Carol Koenig, Wylie McBride et al., San Jose; Alan Hersh, West Contra Costa Unified School District, Richmond

[12] Discovery Issues in Employment Law

This advanced-level program will cover common and cutting edge discovery issues in employment cases.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Paul Avilla, McPharlin et al LLP, San Jose

Panelists: Richard D. Schramm, Employment Rights Attorneys, San Jose;

Laura Innes, Simpson, Garrity & Innes PC, South San Francisco

Moderator: Hon. Patricia Lucas (civil discovery judge), Santa Clara Superior Court, San Jose

3:00–3:15 p.m.

Break

3:15–4:30 p.m.

Concurrent Sessions #13 - #15 (Pick any one of three listed below)

[13] Leaves of Absence: Navigating the laws governing all types of leaves available to California employees

Employees and employers alike find it difficult to navigate the complex interplay of state and federal leave laws. Join our panelists as they discuss common the complexity of various leave laws and how you can avoid common pitfalls.

(1.25 Hours of MCLE Credit)

Panel Coordinator: JoAnne Frankfurt, Fair Employment and Housing Commission, San Francisco

Panelists: Claudia Center, The Legal Aid Society—Employment Law Center, San Francisco; Margaret Hart Edwards, Littler Mendelson P.C., San Francisco

Moderator: JoAnne Frankfurt

[14] No Man's Land: From Female to Male in the Law Office

Attorney Dhillon Khosla discusses dealing with biases he experienced with his extraordinary transformation from female to complete male while working at the Ninth Circuit and the insights he gained from living a life in each gender. Mr. Khosla has spent the last twelve years as a staff attorney for state and federal judges and has frequently lectured on complex areas of law. His memoir, "Both Sides Now", was released by Penguin Group earlier this year and has been featured on CNBC, MSNBC, FOX NEWS, and ABC's "THE VIEW." A lively discussion of legal issues surrounding gender transformation is sure to follow.

(1.25 Hours of MCLE Elimination of Bias Credit)

Program Coordinator: Wendy Rouder, San Francisco

Panelists: Legal Aid Society – Employment Law Center, San Francisco; National Center for Lesbian Rights, San Francisco

Guest Moderators: Tzu Chuan Teng, Santa Clara University School of Law; Nikki Mozdyniewicz, University of the Pacific McGeorge School of Law

[15] Winning Opening Statements and Closing Arguments: Live Demonstrations (Trial Track)

Watch live demonstrations of opening statements and closing arguments in employment cases, interspersed with tips and helpful hints.

(1.25 Hours of MCLE Credit)

Panel Coordinator: Phil Horowitz, Law Office of Phil Horowitz, San Francisco

Panelists: Paula Champagne, Littler Mendelson P.C., San Francisco; J. Bernard Alexander, Alexander & Yong, Sherman Oaks

4:30 p.m.

Conference Adjourns

We thank our gracious sponsors for their support.



> LOCAL ATTRACTIONS IN SAN JOSE

Santana Row

Located at Winchester Boulevard and Stevens Creek, San Jose
This blend of premier shopping, dining and entertainment destination features a variety of live performances for strollers and shoppers. Dining options range from casual outdoor cafés to sophisticated international cuisines. With over 70 shops, 20 restaurants and cafes, 6 screen Century Theatre, four-star boutique Hotel Valencia and hundreds of hip lofts and villas; Santana Row is the hippest, fashion forward neighborhood in the South Bay. Santana Row offers an array of chic boutiques, luxury retail, fabulous shops and lifestyle and regional shopping. Visit Gucci, Crate & Barrel, Tommy Bahama, Ann Taylor Loft, Best Buy, Donald J. Pliner, Derco Jewelers and many more. The pedestrian-friendly streets have a European flair, complete with fountains, a farmers' market, and concerts and other special events in the open air. From fashion to food to fun, it's all here, all in a row—Santana Row. For more information, go to: <http://www.santanarow.com/> for a complete schedule of special events and live entertainment.

Winchester Mystery House

Located at 525 South Winchester Blvd., (between Tisch and Prune ways), San Jose, CA 95128-2537; Telephone 408.247.2101
In 1884, a wealthy widow named Sarah L. Winchester, heiress to the Winchester Rifle fortune, began a construction project of such magnitude that it occupied the lives of carpenters and craftsmen until her death thirty-eight years later. The Victorian mansion, designed and built by the heiress, is filled with so many unexplained oddities, that it is now known as the Winchester Mystery House. Ms. Winchester was convinced that the spirits of all those killed with the Winchester Rifle were haunting her. To confuse the restless spirits, she constructed one of the oddest houses ever built and kept constructing it until the day of her death. The Victorian-style labyrinth that resulted features a door on the second floor that opens onto thin air, others that open onto walls, and stairs and corridors that lead to dead ends. Unlike most homes of its era, this 160-room Victorian mansion had modern heating and sewer systems, gas lights that operated by pressing a button, three working elevators, and 47 fireplaces. From rambling roofs and exquisite hand inlaid parquest floors to the gold and silver chandeliers and Tiffany art glass windows, you will be impressed by the staggering amount of creativity, energy, and expense poured into each and every detail. Tour admission prices: Main House: \$17.95 adults; \$14.95 seniors (65 and over); \$11.95 children 6-12; under 5 free when accompanied by an adult. Behind the scenes admission: \$14.95 adults; \$13.95 seniors; Children 12 and under not allowed. Hours of Operation: 9am-5pm Sun-Thur; 9am-7pm Fri-Sat. For more information, go to: <http://www.winchestermysteryhouse.com/>

Westfield Valley Fair (Shopping Mall)

Located at 2855 Stevens Creek Blvd., Santa Clara CA 95050; Telephone 408.248.4451
This modernized shopping mall features 364 retail shops and restaurants on the Santa Clara-San Jose border. For more information, including store hours and a store directory, go to: <http://westfield.com/valleyfair/index.html>

Alum Rock Park

Located at 16240 Alum Rock Ave., San Jose, CA 95127; Telephone 408.259.5477
A natural, rugged getaway lies just minutes from downtown San Jose in 720-acre Alum Rock Park, San Jose's first and largest park. Visitors can partake of many leisure activities, including bicycling, horseback riding, picnicking or taking a scenic hike. For more information, go to: <http://www.sanjose.com/alum-rock-park/>

Paramount's Great America Amusement Park

Located at 4701 Great America Pkwy, Santa Clara, CA 95054; Telephone 408.259.5477 or 408.988.1776
This mega amusement park features thrill rides, family rides starring favorite Nickelodeon characters, stars from Nickelodeon Central's top rated TV programs, and other family-themed entertainment including a huge water park. Hours of Operation: Saturdays 10-7 p.m., Sundays 10-6 p.m., closed Mon - Fri. after August 18. For more information, go to: <http://www1.paramountparks.com/greatamerica/index.cfm>

Happy Hollow Park & Zoo

Located at 1300 Senter Road (in Kelley Park on the corner of Story and Senter Roads), San Jose, CA 95112; Telephone 408.277.3000
Happy Hollow Park and Zoo™ has been providing affordable family entertainment, education, and fun since 1961. The zoo is an AZA-Accredited Institution that participates in conservation and propagation of rare and endangered species - while at the same time offering children (and adults) the opportunity to see wondrous animals such as the Ruffed Lemur and Jaguar. The Zoo also provides hands-on experience with many animals along with the education that's necessary to secure the future of endangered species. There's also an Animal Contact Area featuring Alpacas, Goats, Guinea Pigs, and Miniature Horses. The park is a peaceful, creative, and safe place for children of all ages - with the main focus on "little ones" between the ages of 2-10. There are creative play areas, children's rides, Puppet Shows, special events, and birthday areas. For more information, go to: <http://www.hhnp.org/>

Bonfante Gardens Family Theme Park

Located at 3050 Hecker Pass Highway (Highway 152), San Jose, CA; Telephone 408.840-7100
Bonfante Gardens, a 501(c)(3) non-profit organization, is California's only horticultural theme park designed for families with young children and garden lovers featuring 19 rides, 27 attractions, 6 majestic gardens and the world famous Circus Trees. Attractions are designed to educate guests and foster a greater appreciation of the natural world and man's ability to shape it. Operating hours in October 2006: Sat. and Sun., 10-6 p.m., closed Mon. - Fri. For more information, go to: www.bonfategardens.com

Japanese Friendship Garden

Located at 1300 Senter Road (at the corner of Alma Avenue), San Jose, CA 95112-2520; Telephone 408.277.5254
Located in Kelley Park, this garden is modeled after Korakuen Park in Okayama, Japan, which is one of San Jose's sister cities. In a very peaceful, relaxing setting, enjoy the unique bridges, ponds and pathways that exquisitely demonstrate the fine art of classic Japanese landscape gardening. You can even feed the fish. You will always be immersed in a wide variety of colors, varying from wisteria lavenders to azalea pinks and depending on the season. Admission is free. Open Hours: 10a-sunset. For more information, go to: http://travel.yahoo.com/p-travelguide-2815437-japanese_friendship_garden_san_jose-i

Children's Discovery Museum

Located at 180 Woz Way, San Jose, CA 95110; Telephone 408.298.5437
Serving the needs of children, families, and schools as a center for learning and discovery, this museum in downtown San Jose features interactive hands-on exhibits, programs, puzzles, games, classes and much more. For more information, go to: <http://www.sanjose.com/childrens-discovery-museum/>

The Tech Museum of Innovation

Located at 201 South Market St., San Jose, CA 95113; Telephone 408.294.TECH
Chock-full of unique hands-on exhibits, this cosmopolitan museum in the heart of downtown San Jose singularly focuses on how technology functions and is changing every aspect of the way we work, live, play and learn. For more information, go to: <http://www.sanjose.com/tech-museum/>

San Jose Museum of Art

Located at 110 South Market St., San Jose, CA 95113; Telephone 408.271-6840
A splendid combination of new and old, the San Jose Museum of Art focuses on twentieth and twenty-first century artworks, with an emphasis on West Coast artists. For more information, go to: <http://www.sanjose.com/san-jose-museum-art/>

Lick Observatory

Located PO Box 85, Mt. Hamilton, CA 95140
Whether looking up into the heavens or down into the valley below, the views from the high point of Lick Observatory can't be beat on a clear day or night. For more information, go to: <http://www.sanjose.com/lick-observatory/>

Rosicrucian Egyptian Museum

Located at 1342 Naglee Avenue, San Jose.
The Rosicrucian Egyptian Museum features the largest collection of Egyptian artifacts in the western United States, including objects from pre-dynastic times through Egypt's early Islamic era. Visitors can walk through a full-scale replica of a rock-cut tomb. And yes, the collection even includes mummies. General admission is \$9; \$7 for seniors and students with identification; \$5 for children age 5 to 10, and free for children under 5. Hours are 10 a.m. to 5 p.m. Monday through Friday and 11 a.m. to 6 p.m. Saturday and Sunday. There is also a planetarium (admission is free) with shows at 2 p.m. Monday through Friday and at 2 p.m. and 3:30 p.m. on Saturday and Sunday. For more information, visit the museum's website at www.egyptianmuseum.org.

San Jose Flea Market

Located at 1590 Berryessa Rd., San Jose.
The San Jose Flea Market claims to be the largest flea markets in the world. Don't expect to visit all 2,000 vendors in one visit; it would be an eight mile walk to go up and down every aisle. This flea market is 120 acres big. Merchandise runs from new to used to collectible, from trash to treasures. Parking is \$6 and admission is free. There are more than a dozen restaurants and snack bars, as well as a produce market a quarter mile long. Vendors also drive up and down the aisles selling beer on tap. The San Jose Flea Market is open from dawn to dusk, Wednesday through Sunday.

Municipal Rose Garden

Located at the intersection of Naglee & Dana Avenues, San Jose
San Jose's 5 1/2-acre Municipal Rose Garden – a one-time prune orchard – is today one of the most attractive of its kind in the world, drawing thousands of visitors each year. The Garden is exclusively devoted to shrubs of the rose family and features over 4,000 rose shrubs with 189 varieties represented. Hybrid-teas comprise 75 percent of the plantings. These shrubs are characterized by a single, high-centered bloom per stem. San Jose's Municipal Rose Garden is also home to newly-hybridized rose and new rose varieties. In fact, the All-American Rose Selections, a national independent rating organization, sends the new varieties to the Garden for testing before release to the general public. The roses are tested in areas like health, amount of blooms, color, form and unique qualities of bloom, before being accepted as a new variety and released to the public.

The above information is provided as a guide only. Listings are provided in no particular order. Hours of operation, admission fees and other details may be subject to change. For more information on San Jose attractions, go to: <http://www.sanjose.com/> and <http://www.sanjose.org/visitors/thingstodo/things.php?x=attractions>. For additional information on attractions in neighboring counties, such as Santa Clara County, go to: <http://www.santaclara.org/thingstodo/>.

> PROGRAM REGISTRATION FORM

The Labor and Employment Law Section 24th Annual Meeting

Bar# _____
Name _____
Firm/Organization _____
Address _____
City, State, Zip Code _____
Phone _____ Fax _____ Email _____
Email _____

(required so we can send you an email confirmation)

Spouse/Guest Name _____

Identify Your Practice: _____

(Public, private, plaintiff, defense, union, management, in-house, neutral, other)

Your name and address may be disclosed to other 2006 Annual Meeting attendees and exhibitors/vendors.

☐ Check here if you don't want your information released.

Registration Fees

(Includes: Conference registration, program materials, Friday and Saturday continental breakfast and Friday reception.)

☐ Labor and Employment Law Section Members\$325
☐ Non-section members (\$70 of your non-member registration fee will be credited towards 2007 Section dues.)\$425
☐ Full-time Students\$100
☐ Program Materials Only\$100
Amount Enclosed to be Charged.....\$_____

Ticketed Events

Please indicate which events you will attend:

Friday, October 27, 2006

☐ [16] Luncheon with Eugene Volokh # of tickets _____ x \$30
☐ [17] Friday Reception ☐ I will attend ☐ I will not attend

Dine About San Jose

(please select one and # in party)

☐ [18] E & O Trading Company ☐ [19] Spiedo's ☐ [20] Tied House Cafe & Brewery ☐ [21] PF Chang's Bistro ☐ [22] Hawgs Seafood Bar
in Party _____

Saturday, October 28, 2006

Breakfast Socials (refer to brochure for table description)

☐ [23] Table #1 ☐ [24] Table #2 ☐ [25] Table #3 ☐ [26] Table #4 ☐ [27] Table #5
☐ [28] Luncheon with William R. Tomayo # of tickets _____ x \$30

Registration Information: 415.538.2508

Subtotal from above ticket fees \$ _____

Subtotal from Registration fees \$ _____

Total amount enclosed or to be charged: \$ _____

Payment: You may pay by check (make checks payable to the State Bar of California), ISA, or MasterCard.

Registrations will be accepted by fax only when accompanied by credit card information

Credit Card Information (Visa/MasterCard Only)

I/we authorize the State Bar of California to charge my/our program registration to my/our VISA/MasterCard account. (No other credit cards will be accepted.)

Account Number _____

☐ Visa ☐ MasterCard Exp. Date _____

Cardholder's Name _____

Cardholder's Signature _____

Course Selector

Please check the appropriate box of the programs and event you plan to attend:

Friday, October 27, 2006

1:45 p.m.–3:00 p.m.

- ☐ [1] Significant Developments and Trends In Employment Retaliation Law
☐ [2] Pick a Little, Talk a Little—Picking a Jury
☐ [3] Introduction to Employment Law: A Plaintiff's and Defendant's Perspective

3:15 p.m.–4:30 p.m.

- ☐ [4] Substance Abuse in the Legal Profession
☐ [5] The Latest from the NLRB: Is the Board's Move to the Right in the Long-Term Interest of Employers or Employees?
☐ [6] Restrictive Covenants, Non-Competes and Trade Secrets: The In-House Technology Industry Perspective

Saturday, October 28, 2006

11:30 a.m.–12:30 p.m.

- ☐ [7] The Inside Scoop—What You Really Need To Know About DFEH/EEOC Investigations
☐ [8] Using the Computer Fraud and Abuse Act in Employment Cases
☐ [9] Witness Examinations: A Live Demonstration

1:45 p.m.–3:00 p.m.

- ☐ [10] Free Speech in the Workplace: Employee Rights vs. Employers' Need to Regulate Its Official Message
☐ [11] Public Sector Legal Update
☐ [12] Discovery Issues in Employment Law

3:15 p.m.–4:30 p.m.

- ☐ [13] Leaves of Absence: Navigating the Laws Governing all Types of Leaves Available to California Employees
☐ [14] Transgender and Other Diversity in the Legal Profession
☐ [15] Winning Opening Statements and Closing Arguments: Live Demonstrations

> PROGRAM REGISTRATION INFORMATION

Registration:

Registration fees include admission to the Friday-Saturday MCLE-accredited programs, Friday-Saturday continental breakfasts, and afternoon break with snacks, Friday night reception, and the program materials on CD-Rom. Registration fees are \$325 for members of the Labor & Employment Law Section of the State Bar of California, \$425 for non-members and \$100 for full-time law students. Program materials—only are \$100.

Your registration should be received no later than October 20, 2006. Written materials will be provided on CD-Rom and distributed at the time of the program.

There are three ways to register. Return the program registration with your payment as follows:

- > **REGISTER ONLINE** at www.calbar.ca.gov/laborlaw. Registering is quick and easy. Go to www.calbar.ca.gov/laborlaw and click on the program name, or wait for our email invitation which will include a link to register. Last day to register online is October 20, 2006. Registration is available on site on a space-available basis.
- > **By Mail:** Please send your completed registration form and check payable to the State Bar of California/E482SAM: Program Registrations, The State Bar of California, 180 Howard Street, San Francisco, CA 94105-1639.
- > **By Fax:** Please fax your registration form with your credit card information to Program Registrations at (415) 538-2368 by October 20, 2006. Only faxes accompanied with the appropriate credit card information will be processed.

Cancellations/Refunds:

A refund, less a non-refundable fee of \$50 will be made to all registration cancellations received in writing by October 20, 2006. Substitute registrants are allowed but must register in their own name at the meeting to receive MCLE credit.

Hotel Reservations:

A limited number of rooms have been reserved at the Marriott, 301 South Market Street, San Jose, CA 95113, at a special rate of \$149 Standard single/double; Standard Triple; and Standard Quad plus tax per night. For reservations, please call the hotel directly at 800.228.9290 or 408.280.1300 or online at www.calbar.ca.gov/laborlaw no later than October 5, 2006. Reservations made after the October 5, 2006 cutoff will be taken on a space-and-rate-available basis. Be sure to mention you are with the State Bar of California Labor and Employment Law Section's 23rd Annual Meeting to obtain the group rate. Each registrant is responsible for his or her own reservations.

Directions to hotel from San Jose International Airport:

When leaving the airport follow signs for Highway 87 South. Exit onto Park Avenue. At the light make a left, going east under the highway. Follow Park Ave. to Market Street, where you must turn right. Follow Market street South, cross West San Carlos (1st light). The hotel entrance is on your right. For more information on the San Jose Marriott, go to: <http://www.sanjosemarriott.com/>

Special Assistance:

For special assistance, please call (415) 538-2393

For registration information, please call Program Registrations at (415) 538-2508. For program content information, please call Theresa Raglen, Meeting & Event Administrator at (415) 538-2393.

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Labor & Employment Law Section Annual Meeting
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